

REMARKS

The present application has been carefully studied and amended in view of the outstanding Office Action dated January 9, 2009, and reconsideration of that action is respectfully requested in view of the following comments.

As noted by the Examiner in the Office Action, claims 34-61 are improperly numbered since there is no claim 33. Accordingly, claims 34-61 have been renumbered 33-60, respectively. Additionally, the dependency has been changed where appropriate.

Applicant respectfully traverses the restriction requirement between the claims of Group I, Group II and Group III. The claimed subject matter of each of these Groups is closely related, and similar issues of patentability are presented in each of the three groups. Moreover, the fields of search are similar and overlapping. Similar issues must be addressed in determining the patentability of the subject matter of each group. All of these factors lead to the examination of all claims in a single application. All restriction requirements necessitate a certain degree of discretion on the part of the Examiner, and it is believed that such discretion should be exercised in the present application by dropping the restriction requirement. For the record, it is respectfully requested that the restriction requirement be withdrawn.

However, as required by the Rules of Practice, applicant elects the subject matter of Group II and finds claims 14 and 31 readable thereon together with renumbered claims 34, 35 and 60.

Continuing, with respect to species a, b and c of the Group II claims, it is respectfully requested that the election requirement be withdrawn. Here again all of

Group II claims are closely related, and similar issues must be addressed in determining patentability. The fields of search are identical or close to one another, and discretion on the part of the Examiner should favor withdrawal of the election requirement.

However, as required by the Rules, applicant elects species a and finds claims 14 and 31 readable thereon along with renumbered claim 34.

Action on the merits is now believed to be in order.

Respectfully submitted,

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